Regd. No. IX-97—300,000—21-5-52.

Education & Public Health (1947) Department.

Ms. SERIES.

G.O. No. 2858 P.H.

Dated 22.8.1947

[Despatch Abstract.]

Madras - Service - Rules of Office - Promotion to Upper divisi[on]
Rule - Passing Account Test - Powers reserved.

Copy of letter Ref.No.S 32-1 C, dated 6-2-47 from the Surgeon General with the Government of Madras, Madras to the Secretary to Government, Education & Public Health Department.

Sub: Madras Ministerial Service - Lower division clerks in Surgeon General's office - Promotion to upper division before passing the Account Test - Regarding.

In accordance with Rule 32 (b) of the Madras Ministerial Service Rules, (read with entries relating to 'Medical Department' in Annexure IV thereof) no lower division clerk can be promoted to the Upper division in the Surgeon-General's office unless and until he has passed the Account Test for subordinate officers Part I. The prescription of this qualification precedent to promotion was first introduced in G.O.No.1148, Public-(Services) dated 11-7-1939. Some of the lower division clerks of this office have since represented that they may be promoted to the upper division before passing the Accountant Test and that they may be permitted to pass the above Test during the period of probation. A*copy of their petition is enclosed. According to Rule 32(b) of the Madras Ministerial Service Rules, the lower division clerks of certain Departments viz. Excise, Veterinary, Industries and Board of Revenue (other than the Excise and Statistical Branches) when promoted to upper division are permitted to pass the prescribed special test or tests during the period of probation. There is some force in the request of the petitioners. It is desirable that the concession granted to the lower division clerks of the above departments should also be extended to the lower division clerks of this office. It is therefore requested that the Government may be pleased to permit the lower division clerks of this office to pass the Account Test for Subordinate Officers, Part I, after promotion to Upper division within the period of probation and to issue necessary amendment to Rule 32 (b) of the Madras Ministerial Service Rules.

Your obedient servant,
Sd. x x
for Surgeon General with the Govt. of Madras

* Copy of petition.

We, the undersigned clerks of the Surgeon-General's office beg to submit the following few lines for your kind consideration and favourable orders.

In all other departments, including the Secretariat, lower division clerks are promoted as Upper division clerks according to their seniority and such candidates are required to pass the Account Test Examination during the period of their probation, if they have not already passed the same. But lower division clerks of this office are not given such promotion unless they have passed the Account Test. This has affected not only the seniority but has also caused financial loss to some of the clerks. For example, persons like Sri M.V.Subramaniam, Satchidananda Sarma etc., were promoted early simply because they had passed the Account Test early and by virtue of their promotion they are made seniors to some of us. This will affect our future career in service. Apart from this a few candidates who were transferred from this office to other departments, like the Secretariat and Board of Revenue are now appointed as upper division clerks, even though they have not passed the Accountant Test Examination.

As it would be fair that the clerks in all departments are governed by the same rules with regard to promotion, to upper division posts, it is requested that the Surgeon-General may be pleased to address the Government for amendment to the existing rules governing the promotion of lower division clerks to upper division and allow us to enjoy the same concessions admissible to clerks of other departments.

/true copy/ Sd. x x /for Surgeon-General with the Govt.of Madras.

p.t.o.

GOVERNMENT OF MADRAS
Education & Public Health Department.
Memorandum No. 1039-7, dated Public Health, dated 3-7-1947.

Sub: Madras Ministerial Service - Lower division clerks in the Surgeon-General's office - promotion to upper division before passing Account Test.
Ref: From the Surgeon General No.8862-G, dated 6-2-47.

The Surgeon General is informed that if his proposal is to provide for the promotion of Lower Division clerks in his office to Upper division in special cases, before passing the Account Test for Subordinate Officers, Part I, promotions to Upper division after passing the test being the normal feature, a proviso on the lines existing in certain departments like Excise, Veterinary and Industries should be inserted under rule 32(b) of the Madras Ministerial Service Rules. If, however, the intention is that lower division clerks should not as a rule be required to pass the test before promotion to Upper division, the appropriate place to provide for it is in Annexure V-A to the rules after suitably amending the entries in Annexure IV. He is, therefore, requested to make his proposal clear and to submit necessary draft amendment to the rules.

Sd. x x/Secy.to Government.

To the Surgeon General.

Copy of Letter Ref.No.8862-5.G, dated 31-7-47 from the Surgeon-General with the Government of Madras, Madras to the Secretary to Government, Education & Public Health Department.

Sub: Madras Ministerial Service - Lower division clerks in Surgeon-General's office - promotion to upper division before passing Account Test - regarding.
Ref: Govt.Memo.No.1039-7 Dl P.H., dated 3-7-47.

I have considered the request of certain lower division clerks to be promoted to the Upper division before passing the Account Test forwarded to Government in my letter Ref.No.8862-1 G, dated 6-2-47 and the requests made by certain other clerks who have passed the Account Test (vide Endt.Ref.No.8862-3 G, dated 23-4-47). The Government have since issued orders in G.O.No.1057 Public(Services), dated 2-4-47 according to which upper division clerks in all Departments promoted from the category of lower division clerks shall be on probation for a total period of two years on duty within a continuous period of 3 years unless they have rendered satisfactory service of not less than three years in the lower division. As there is no probation for clerks with 3 years' service in the lower division when promoted to the upper division, it is essential to have the Account Test as the necessary qualification for such promotion. I do not consider it necessary to introduce a proviso to 32 (b) of the Madras Ministerial Service Rules as no such provision has been introduced in the case of clerks of other Departments to which Surgeon-General's office can be compared. No amendment to Annexure V-A to the rules after suitably amending the entries in Annexure I is also necessary. The existing rules prescribing Account Test as the necessary qualification for promotion to the upper division may stand.

Your obedient servant,
Sd. x x/for Surgeon General
with the Govt. of Madras.

NOTE FILE.

E.& .d. Department (Dl)

C.No.10391/47.

2. It is laid down in rule 32 (b) of the Madras Ministerial Service Rules (read with entries relating to Medical dept. in Annexure IV to the rules) that L.D.Cs. in the S.G's office should not be promoted as U.D.Cs.before passing Accounts Test for Subordinate Officers Part I. In accordance with this rule, L.D.Cs in the S.G's office are not promoted to the Upper division on regular basis before they pass the test. The Surgeon-General now states that, since lower division clerks of other depts. like Excise, Veterinary and Industries are permitted to pass the required special test during the period of their probation in Upper division, the same concession may be extended to the lower division clerks of his office. He therefore, recommends that lower division clerks of his office may be permitted to pass the Account Test for Subordinate officers, Part I after their promotion as U.D.Cs with in the prescribed period of probation in the post and that the Ministerial Service rules may be amended accordingly.

3. It is not known definitely why it was laid down that L.D.Cs in S.G's office should be promoted as U.D.Cs only after they pass the special test. In view of the remarks of the S.G. in para 2 above, his proposal at 'A' above may be accepted.

The remarks of the Public (Ser.) and Finance may be invited U.O.

Sd. x x/11-6-47. J.S.

There seems to be no harm in giving them the same privelege possibly the P.S.C. may be in a position to offer remarks.

Sd. P.S.V./14-6-47.

E. .P.H. .C.No.10391/Dl/47-5,dt.14-6-47.

--- pu .(Sers)/Fin.

Public(services)-I/Deptt.

Please see the E.&.P.H. note on p.1 ante.

'P' on page 1 ante: The S.G . apparently refers to the first 4 provisos under rule 32 (b) of the M.S.S. Rules. In the cases cited the min members of the service may be appointed to certain posts before passing the tests prescribed for promotion to those posts only in special cases and subject to certain conditions. The J.S., E. .P.H. seems to be in favour of giving a similar concession to the U.D.Cs. in the S.G's office.

It does not, however, seem that the S.G's proposal is to extend a similar concession to the U.D.Cs. in his office. It is somewhat different - vide 'A' on page 1 ante. If E.&.P.H. have no objection, they may be requested to explain the position clearly to the S.G., and ask him whether he will agree to introducing a provision in respect of U.D.Cs. in his office similar to that relating to Excise, Veterinary or Industries Depts., in rule 32(b) of the M.S.S. Rules, and, if so, to submit the necessary draft amendment to the Rules.

Subject to orders the file may be returned to E.&.P.H.

The S.G's suggestion that rule 32 (b) of the M.S.S. Rules might be amended leads to the conclusion that the passing of the test BEFORE promotion to the U.D. should continue to be the normal feature and that what is wanted is only provision for special cases on the lines obtaining in the Excise, Vety. etc. depts. If however, the S.G. means that L.D. clerks should not as a rule be required to pass the test BEFORE promotion to the U.D. it will not be appropriate to provide for it in rule 32 (b). The appropriate place is an Annexure V-A to the rules-of-course after amending the entries in Annexure IV suitably. E.&. ... will please verify from the S.G. what exactly his proposal is.

w.r.to C on p. l a te, it is sabd. that it is not usual to consilt the commission in a matter in which such consultation is not obligator .

Sd. x x /21-6-47.

Pub.(Sers.)J.O.No.1806/47-1,dt. 25-6-47.

E.&.P.H.Deptt.

Please see the notes of Pub.(pers.) dept.above.

A draft memo. to the S.G. is submitted below for approval.

Sd. x x 29-6-47. Sd. x x3-7-47.

J.S.

/Memo.No.1039-7-T.1/P.H.dated 3-7-1947)

C.No.62159/47-D.1) From the S.G. Ref.No. 3662-S.G,dt.31-7-47./

Please see the memo to the S.G. on pp.11-12 c.i. and his reply on pp.13-14 c.i. He now states that the existing rules prescribing Account Test as the necessary qualification for promotion to the Upper division may stand. No action is called - or in this file. The papers may be recorded after perusal by Pub.(Ser.) Dept.

Sd. x x/-8-8-47. Sd. x x 9-8-47.

J.S..

E.&.P.H. J.O.10391/47-8 Pub.(Ser.) Dept.

(previous note at pp.2-3 above)

The E.&-.P.H. dept note above may be perused and the file returned to that Dept.

Sd. x x /13-8-47.

Pub.(Ser.) J.O.2442/47-1, dt.13-8-47.

E.&.P.H.Dept. (D1)

Pleas see the previous note of this dept. and also the note of the Pub.(Ser.) at p. 88 ante. The papers may be

G.O.Ms.No.2813 ...,dated 22-8-47.
Recorded.

Sd. x x 21-8-47.

Abstract:

Madras Ministerial Service - Lower Division Clerks in Surgeon General's office - Promotion to Upper division before passing Account Test - Papers recorded.

/True copy/ J. Ramanadha

Office Assistant,
Madras Record Office.

PSR. 29-12-53.

N/2454